

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

ORDER

01-cr-32-bbc

v.

MICHAEL BROWN,

Defendant.

Defendant Michael Brown has filed a notice of appeal from the court's February 24, 2016 order denying his motion under Rule 60(b). His notice of appeal was not accompanied by the \$505 fee for filing an appeal. 28 U.S.C. § 2253(c)(1)(A); Fed. R. App. P. 22. Therefore, I construe it as including a request for leave to proceed in forma pauperis on appeal under 28 U.S.C. § 1915. According to 28 U.S.C. § 1915(a)(3), "an appeal may not be taken in forma pauperis if the trial court certifies in writing that it is not taken in good faith." I do not find petitioner's appeal taken in bad faith.

ORDER

IT IS ORDERED that petitioner Michael Brown's request for leave to proceed in forma pauperis on appeal is GRANTED.

Entered this 9th day of March, 2016.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge